

Japanese Family Court Divorce

Before filing for a Japanese Family Court Divorce, you should speak with a legal assistance attorney and understand the advantages/disadvantages of your options. If you have decided to pursue a Japanese Family Court divorce, this brochure will provide you with answers to common questions.

A couple that wants to get a Japanese family court divorce will register with the Family Court and will be required to complete one or more mediation, or conciliation, meetings. The purpose of the conciliation meeting is to attempt to reconcile the couple or to provide amicable terms for a divorce.

At least one of the parties must be a legal resident of Japan in order to obtain a Family Court divorce. Legal residence in Japan requires a party to physically reside in Japan; there is no minimum period of residence required prior to filing. However, a court will not have jurisdiction to grant the divorce if the parties came to Japan merely to get a divorce. SOFA status counts as legal residence.

If one of the parties to the divorce is Japanese, Japanese law will apply. If both parties to the divorce are not Japanese, the court will apply the divorce laws of the home state of the parties (generally the laws of the state where the couple resided together if the spouses have different home states).

While both spouses need not be present for the entire divorce process, generally, the Family Court will require both parties to attend at least one joint hearing.

OTHER RESOURCES:

- Handout on Divorce in Japan
- Children's Right Network of Japan:
<http://www.crnjapan.com/forms/en/DivorceByMutualConsent.html>
- Handout on Divorce and Retirement Pay
- Map to the Hachioji Family Court Building
- List of Translators

Legal Assistance Hours:
By Appointment Only



374th Airlift Wing
Office of the Staff Judge Advocate
Building 315, Airlift Avenue
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This Brochure Includes:

- Required Documents
- Fees
- Directions to the Hachioji Family Court
- Other Resources




The information in this brochure is of a general nature and is not intended as a substitute for legal counsel.

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Process for Family Court Divorce

- Download an Application Form from the Children's Right Network of Japan Website.
- Get a translator to translate the documents (The legal office can provide you a list of translators.)
- Include a translated copy of the divorce law of the state of your residency if both people are U.S. citizens.
- Submit the forms and supporting documents (see Required Documents to the right).
- Mediation date will be scheduled and mailed to the applicant and opposing party (Mediation may take more than one session — it can be any where from 1-6 months.)
- Interview with the Judge.
- Decision will be mailed to the applicant and opposing party.



We recommend that you have your Japanese Divorce recognized in your U.S. state of residency.

Required Documents

To obtain a Divorce at the Hachioji Family Court, the following documents must be submitted for translation:

- Marriage Certificate
- Husband's Birth Certificate
- Wife's Birth Certificate
- Dependent Children's Birth Certificate
- Husband's Military/Dependent ID card
- Wife's Military/Dependent ID card
- Dependent Children's Military ID card
- Property Settlement(s) and/or Separation Agreement(s)
- State Divorce Law of Petitioner (see below)
- Notarized Letter Stating Legal Residence of Petitioner (see below)

Original documents are not necessary; the court will accept copies.

Filing Fees

Court costs may vary depending on the complexity of the case.

The following fees are minimums:

Case Filing Fee: 1200 yen (must use revenue stamps)

Mail Stamp Fee: 800 yen (use 1,080 yen stamps)

Translation Fee: varies (see translator handout)

You can get revenue stamps at the local Japanese post office.

Directions to the Hachioji Family Court

Turn left out of the Fussa Gate and turn your trip-odometer to zero.

Stay in the right lane of Route 16

At approximately 2.0 km, the road will make a Y. Take Route 16 to the right.

At approximately 3.3 km, there is an intersection. Turn left just before the next turn.

At approximately 4.8 km, there is an intersection. Turn right, staying on Route 16.

You will cross the Haijima bridge and go over a hill.

At approximately 7.4 km, you will come to an intersection with a COCO's restaurant on your left, go straight and stay in the left lane.

You will go past the Chuo Expressway.

At approximately 9.8 km, you will go past a 7-Eleven store on the right.

At approximately 11 km, you will come to an intersection. Turn left, following the sign towards Shinjuku.

Stay in the left lane. Route 16 soon turns to the right, but continue straight now on Route 20.

At approximately 12 km, you will see a Sunkus Convenience Store on your right.

At approximately 12.5 km, the court buildings will be on your left.